



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

MICHIGAN BOARD OF ARCHITECTS MEETING

APPROVED MINUTES SEPTEMBER 14, 2022

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Architects met on September 14, 2022, at 611 West Ottawa Street, Upper-Level Conference Room 3, Lansing, Michigan 48933.

CALL TO ORDER

Jennifer Myers, Chairperson, called the meeting to order at 10:05 a.m.

ROLL CALL

Members Present: Jennifer R. Myers, Architect, Chairperson
Deveron Q. Sanders, PE, Vice Chairperson
Annette Gleason, Architect
Allan Machielse, Architect
Dax T. Richer, Architect (arrived 10:22 a.m.)
Johnnie Wilson, Public Member

Members Absent: Kelly M. Fedele, PE, PS
Anthony C. McGhee, Public Member
Matthew Slagle, Architect

Staff: Weston MacIntosh, JD, Departmental Specialist,
Boards and Committees Section
Stephanie Wysack, Board Support Technician,
Boards and Committees Section

APPROVAL OF AGENDA

MOTION by Machielse, seconded by Gleason, to approve the agenda, as presented.

A voice vote followed.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Gleason, seconded by Machielse, to approve the minutes from May 11, 2022, as written.

A voice vote followed.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

None

OLD BUSINESS

None

NEW BUSINESS

2023 Public Notice

Myers presented the 2023 Public Notice.

MacIntosh reminded the board to mark the dates on their calendar and to remember to notify the department in advance if they are unable to attend.

Elections

MacIntosh ran the election for chairperson.

MOTION by Sanders, seconded by Machielse, to re-elect Myers as chairperson.

A roll call vote was held: Yeas: Gleason, Machielse, Wilson, Sanders, Myers
 Nays: None

MOTION PREVAILED

MacIntosh ran the election for vice chairperson.

MOTION by Myers, seconded by Gleason, to re-elect Sanders as vice chairperson.

A roll call vote was held: Yeas: Gleason, Machielse, Wilson, Sanders, Myers
Nays: None

MOTION PREVAILED

Committee Assignments

MacIntosh explained the role of the rules committee.

Myers made the following committee assignments:

Rules

Machielse

Myers

Sanders

Wilson

Master Resolution Discussion

MacIntosh provided an overview of the current Board of Architects, Resolution Regarding Preapproved Continuing Education Sanctions.

Discussion was held.

The board made no changes.

Rules Discussion

MacIntosh provided an overview of the changes made to the draft rules (Attachment 1).

MOTION by Gleason, seconded by Machielse, to approve the draft rules as presented.

A roll call vote was held: Yeas: Gleason, Machielse, Wilson, Sanders, Myers
Nays: None
Abstain: Richer

MOTION PREVAILED

Chair Report

Myers stated that she and Sanders attended the National Council of Architectural Registration Boards (NCARB) Annual Business Meeting June 2 – 4, 2022 in Austin, Texas. She stated they discussed the recent Mutual Recognition Agreement with the United Kingdom as well as the creation of the Diversity, Equity, and Inclusion (DEI) Committee.

Department Update

MacIntosh stated that recent legislation passed requiring board meetings to be recorded. He stated that the board will need to be mindful of microphones and to make sure to speak loudly and clearly.

MacIntosh stated that Amy Gumbrecht had been named Director of the Bureau of Professional Licensing.

MacIntosh reminded the board members to continue to check their state email address regularly.

Wysack stated that board members will need to sign the affidavit in their blue folders, in addition to their travel voucher, in order to receive reimbursement of the \$5.00 visitor lot fee.

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held January 11, 2023, at 10:00 a.m., at 611 West Ottawa Street, Upper-Level Conference Center Room 3, Lansing, Michigan 48933.

ADJOURNMENT

MOTION by Machielse, seconded by Gleason, to adjourn the meeting at 10:30 a.m.

A voice vote followed.

MOTION PREVAILED

Minutes approved by the Board on: September 13, 2023.

Prepared By:
Stephanie Wysack, Board Support Technician
Bureau of Professional Licensing

September 14, 2022

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ARCHITECTS – GENERAL RULES

Filed with the secretary of state on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the board of architects by section 308 of the occupational code, 1980 PA 299, MCL 339.308; and on the director of the department of licensing and regulatory affairs by sections 205 and 2009 of the occupational code, 1980 PA 299, MCL 339.205 and 339.2009; and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 339.15101, R 338.15201, R 338.15202, R 338.15204, R 338.15304, R 338.15401, R 338.15404, R 338.15501, and R 338.15502 of the Michigan Administrative Code are amended as follows:

PART 1. GENERAL PROVISIONS

R 339.15101 Definitions.

Rule 101. (1) As used in these rules:

(a) ~~“Code” means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.~~
“CACB” means the Canadian Architectural Certification Board.

(b) ~~“Continuing education” means an instructional course or activity in an approved health, safety, and welfare subject that is designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee’s area of professional practice.~~ **“Code” means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.**

(c) ~~“Course” means any qualifying activity with a clear purpose and goal that will keep, improve, or expand the skills and knowledge relevant to the licensee’s area of professional practice. Regular duties for compensation are not considered activities, except for employer compensated continuing education activities.~~ **“Continuing education” means an instructional course or activity in an approved health, safety, and welfare subject that is designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee’s area of professional practice.**

(d) ~~“Department” means the department of licensing and regulatory affairs.~~ **“Course” means any qualifying activity with a clear purpose and goal that will keep, improve,**

or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation are not considered activities, except for employer compensated continuing education activities.

(c) ~~“Distance learning” means any of the following:~~ **“Department” means the department of licensing and regulatory affairs.**

~~(i) Courses where an instructor and a licensee may be apart, and instruction takes place through online or electronic media.~~

~~(ii) Courses, which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.~~

~~(iii) Monographs, which are distant learning courses that examine or investigate current and emerging topics in architecture, and which can be in the form of an online quiz or test offered by a sponsor that may not require an instructor.~~

(f) ~~“Health, Safety, and Welfare (HSW) subjects” means technical and professional subjects related to the practice of architecture that safeguard the public and that include the continuing education subjects approved under R 339.15506.~~ **“Distance learning” means any of the following:**

(i) Courses where an instructor and a licensee may be apart, and instruction takes place through online or electronic media.

(ii) Courses, which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.

(iii) Monographs, which are distant learning courses that examine or investigate current and emerging topics in architecture, and which can be in the form of an online quiz or test offered by a sponsor that may not require an instructor.

~~(g) “Sponsor” means a person who represents to the public that any of its courses fulfill the requirements of section 2009 of the code, MCL 339.2009, for continuing education.~~

~~“Health, Safety, and Welfare (HSW) subjects” means technical and professional subjects related to the practice of architecture that safeguard the public and that include the continuing education subjects approved under R 339.15506.~~

~~(h) “NAAB” means the National Architectural Accrediting Board.~~

~~(i) “NCARB” means the National Council of Architectural Registration Boards.~~

~~(j) “Sponsor” means a person who represents to the public that any of its courses fulfill the requirements of section 2009 of the code, MCL 339.2009, for continuing education.~~

(2) A term defined in the code has the same meaning when used in these rules.

PART 2. EDUCATION, EXPERIENCE, AND EXAMINATION STANDARDS

R 339.15201 Educational requirement; adoption by reference of educational standard.

Rule 201. (1) An applicant for an architect license shall provide **proof, as directed by the department, verifying** 1 of the following to satisfy the educational requirements under the code:

(a) Transcripts verifying that the applicant received a first professional degree from an architectural program that is accredited by the ~~National Architectural Accrediting Board (NAAB)~~ **NAAB** or the ~~Canadian Architectural Certification Board (CACB)~~. **CACB**.

(b) An evaluation report from the Education Evaluation Services for Architects-National Council of Architectural Registration Boards (EESA-NCARB) that states the applicant for architect licensure has met the NCARB Education Standard established in the NCARB Education Guidelines.

(c) A credentials evaluation provided by a current member of the National Association of Credential Evaluation Services (NACES) that verifies the applicant for architect licensure received a degree that satisfies all the categories, subject areas, and semester credit hour requirements established under the NCARB Education Standard adopted by reference under subrule (2) this rule.

(2) The NCARB Education Standard in the “NCARB Education Guidelines,” effective January 6, 2021, is adopted by reference. This document is available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, at 611 W. Ottawa St., P.O. Box 30670, Lansing, Michigan 48909 and at no cost from NCARB at <https://www.ncarb.org/> or National Council of Architectural Registration Boards, 1401 H St. NW, Suite 500, Washington, DC 20005.

R 339.15202 Experience requirement.

Rule 202. An applicant for an architect license shall provide **proof, as directed by the department, verifying** 1 of the following to satisfy the experience requirements under the code:

(a) A valid certificate of completion of any internship program from NCARB.

(b) ~~Proof of current~~ **Current** and continuous licensure in another state **or a province of Canada** of ~~at least~~ **not less than** 5 years.

R 339.15204 Examination requirement.

Rule 204. An applicant for an architect license shall provide **proof, as directed by the department, verifying** ~~of obtaining~~ a passing score as determined by NCARB on the NCARB Architectural Registration Examination.

PART 3. RELICENSURE

R 339.15304 Relicensure requirements.

Rule 304. (1) An applicant whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the code, MCL 339.411, by satisfying all the following requirements:

(a) Providing a completed application on a form provided by the department.

(b) Paying the required fee to the department.

(c) Providing proof, ~~to~~ **as directed by** the department, verifying that the applicant has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately preceding the date of the relicensure application. If the department determines that the amount of continuing education hours provided with the application is deficient, the applicant has 1 year from the date of the application to provide proof of completing the deficient hours.

(2) An applicant whose license has lapsed for 3 years or more after the expiration date of the last license may be relicensed under section 411(4) of the code, MCL 339.411, by satisfying all the following requirements:

(a) Providing a completed application on a form provided by the department.

(b) Paying the required fee to the department.

(c) Establishing that the applicant has met all the requirements for initial licensure under the code and these rules.

(d) Providing proof, ~~to~~ **as directed by** the department, verifying that the applicant has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately preceding the date of the relicensure application. If the department determines that the amount of continuing education hours provided with the application is deficient, the applicant has 1 year from the date of the application to provide proof of completing the deficient hours.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.15401 Model rules of conduct; adoption by reference.

Rule 401. (1) A licensee shall follow the NCARB model rules of conduct adopted by reference in this rule.

(2) The NCARB model rules of conduct in the document “Model Rules of Conduct,” ~~2018-2019,”~~ revised July 2018, is adopted by reference. This document is available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 W. Ottawa St., P.O. Box 30670, Lansing, Michigan 48909 and at no cost from NCARB at <https://www.ncarb.org/> or National Council of Architectural Registration Boards, 1401 H St. NW, Suite 500, Washington, DC 20005.

R 339.15404 Seal design, use, security, and validation.

Rule 404. (1) ~~Effective 60 days after the promulgation of this rule, the~~ **The** seal of an architect must include the licensee’s name and full license number, as shown on the licensee’s state-issued architect license and indicate “State of Michigan” and “Licensed Architect” in the legend surrounding the seal. The seal must have a design substantially equivalent to figure 404.

(2) A licensee's seal shall be used by the licensee whose name appears on the seal for as long as the license is in effect. A licensee is responsible for the security of the licensee's seal.

FIGURE 404



PART 5. LICENSE RENEWAL AND CONTINUING EDUCATION

R 339.15501 License renewal requirement; continuing education waiver.

Rule 501. (1) An applicant for license renewal who has been licensed during the 2-year period immediately preceding the expiration date of the license shall obtain not less than 24 hours of continuing education in activities approved under R 339.15502 during the 2-year period immediately preceding the expiration date of the license.

(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.15502.

(3) A licensee shall keep documentation of satisfying the requirements of this rule and R 339.15502 for a period of 4 years from the date of applying for license renewal.

(4) A licensee is subject to audit under this part and may have to provide documentation as described under R 339.15502 upon request of the department.

(5) ~~A request for a continuing education waiver under section 204(2) of the code, MCL 339.204, must be received by the department before the expiration date of the license.~~

The department must receive a request for a waiver of continuing education requirements for the board's consideration not less than 30 days before the last regularly scheduled board meeting before the expiration date of the license.

R 339.15502 Acceptable continuing education.

Rule 502. (1) The department shall grant credit for continuing education hours that satisfy the requirements in the following chart:

Activity Code	Activity and Proof Required	Number of Credits Earned for Activity and Allowed for Renewal Cycle
(a)	Completing a continuing education program or activity, regardless of the format in which it is offered, if it is in an HSW subject under R 339.15506 and is approved or offered for	The number of credits approved by the sponsor or the approving organization.

	<p>continuing education by any of the following:</p> <ul style="list-style-type: none"> - Another state board of architects. - NCARB. - American Institute of Architects. - Construction Specifications Institute. - University of Michigan. - Lawrence Technological University. - University of Detroit Mercy. - Andrews University. - An NAAB accredited degree granting institution. - United States Green Building Council. <p>If audited, a licensee shall provide a copy of a letter or a certificate of completion issued by the relevant above-referenced sponsor or organization showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the continuing education program or activity, and the date or dates on which the program was held, or the activity completed.</p>	
(b)	<p>Passing a postgraduate academic course in an HSW subject under R 339.15506 that is offered by an architectural program that is accredited by NAAB or CACB.</p> <p>If audited, a licensee shall provide a copy of the transcript issued by the NAAB-accredited or CACB-accredited architectural program showing the number of completed credit hours for the academic courses.</p>	<p>Fifteen continuing education hours are granted for each semester credit, or 10 continuing education hours are granted for each quarter credit.</p> <p>A maximum of 15 continuing education hours are granted for this activity in each renewal period.</p>
(c)	<p>Attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, or conference in which the subject matter is an HSW subject under R 339.15506.</p>	<p>One continuing education hour is granted for every 50 minutes of continuous instruction.</p> <p>One-half (0.5 credit) of 1 continuing education hour is</p>

	<p>If audited, a licensee shall provide a copy of a letter or a certificate of completion issued by the sponsor or organization of the seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention or conference showing the licensee's name, sponsor name or the name of the organization, and the date or dates on which the above-referenced activity was held and attended by the licensee.</p>	<p>granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.</p>
(d)	<p>Teaching, instructing, or presenting a subject that is an HSW subject under R 339.15506.</p> <p>If audited, a licensee shall provide a letter issued by the course or activity sponsor or organization confirming the licensee as the teacher, instructor, or presenter of a course or activity, together with a copy of the course syllabus, or other program documentation, showing that licensee is the instructor, the name of the course or activity, and the date or dates the course or activity took place.</p>	<p>One continuing education hour is granted for every 50 minutes continuous instruction.</p> <p>One-half (0.5 credit) of 1 continuing education hour shall be granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.</p>
(e)	<p>Publishing a peer-reviewed paper, article, or book on a subject that is an HSW subject under R 339.15506.</p> <p>If audited, a licensee shall provide a copy of the publication that identifies the licensee as the author of the publication and the publication acceptance letter showing the licensee's name, article name, and date of publishing.</p>	<p>Six continuing education hours are granted for this activity.</p> <p>Credit for continuing education hours is not granted for multiple publications of the same peer-review paper, article, or book.</p> <p>A maximum of 12 continuing education hours are granted for this activity during each renewal period.</p>
(f)	<p>Serving as a voting member on a local, state, or national committee, board, council, or association, if it enhances the participant's knowledge and understanding of architecture. To receive credit, a licensee must take part</p>	<p>Three continuing education hours are granted for each committee, board, council, or association on which the licensee is a member.</p>

	<p>in at least not less than 50% of the regularly scheduled meetings of the committee, board, council, or association.</p> <p>If audited, a licensee shall provide documentation satisfactory to the department verifying the licensee's participation in at least not less than 50% of the regularly scheduled meetings of the committee, board, council, or association and provide verification of the licensee's status as a voting member on the committee, board, council, or association.</p>	<p>A maximum of 3 continuing education hours are granted for this activity during each renewal period.</p>
(g)	<p>Participating in a company-sponsored seminar or training that is on an HSW subject under R 339.15506.</p> <p>If audited, a licensee shall provide a copy of a letter or a certificate of completion issued by the company or organization presenting the seminar or training on its behalf, showing the licensee's name, company name or the name of the organization presenting the seminar or training on behalf of the company, subject of seminar or training, and the date or dates on which the above-referenced seminar or training was held and completed by the licensee.</p>	<p>One continuing education hour is granted for every 50 minutes of continuous instruction.</p> <p>One-half (0.5 credit) of 1 continuing education hour shall be granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.</p>

(2) Continuing education hours are not granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education credit during the renewal period.

(3) Except as provided under subrule (1) of this rule, 50 minutes of continuous instruction is equal to 1 continuing education hour. For purpose of this rule, "continuous instruction" means the time taking part in the activity, not including breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the program.